

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON

700 Stewart Street, Suite 2310  
Seattle, WA 98101  
(206) 370-8400

ANDREW U. D. STRAW,	)	
<i>Plaintiff;</i>	)	Case No.: 2:20-cv-00294-JLR
	)	<u>Hon. James L. Robart</u>
v.	)	Judge Presiding
	)	Hon.
AVVO, INC.,	)	<u>Magistrate Judge</u>
<i>Defendant.</i>	)	Jury Trial Demanded

**MOTION TO RECUSE**

I, *plaintiff* Andrew U. D. Straw, on my own account after having discovered relevant facts, make this MOTION to RECUSE:

1. The **Dkt. 55 ORDER** is now on appeal at the 9<sup>th</sup> Circuit, but several facts have arisen in the briefing of that appeal that cause me to seek recusal of the presiding judge here for any future proceedings.
2. First and foremost, the law firm representing the defendant, Davis Wright Tremaine, employs a former law clerk who worked for Judge Robart.
3. This was more than a little reason for the trial judge to favor that side. This problem with Robart Clerk Attorney [Eric Franz](#) working for my opponent's law firm is quite similar to what happened with

the Indiana hearing officer, James R. Ahler, who deliberately hurt me and was then hired by the 7<sup>th</sup> Circuit as a federal judge while he was my appellee. *Straw v. Indiana Supreme Court, et. al.*, 17-1338 (7<sup>th</sup> Cir. 7/6/2017). He also clerk for one of the panel members in that case, as well as the former chief judge of the 7<sup>th</sup> Circuit.

4. [http://www.ca7.uscourts.gov/news/positions/2017\\_appt\\_Judge\\_Ahler.pdf](http://www.ca7.uscourts.gov/news/positions/2017_appt_Judge_Ahler.pdf)
5. I now have a zero tolerance for such connections, such favoritism due to clerkships, and I am justified by ABA Rule 2.2, which requires a judge to be pristine, *fair to a fault*, and *impartial*.
6. The existence of Eric Franz on the roster of attorneys at DWT is enough to fall short of that standard and favors the trial judge's clerk, his firm, and that firm's clients.
7. DWT also appears to have falsely stated to the 9<sup>th</sup> Circuit that Avvo's parent company, **Internet Brands**, has no 10% public company owner. I think everyone in Seattle is probably aware of the \$1.1 billion purchase of Internet Brands by KKR, a company listed on the New York Stock Exchange.

8. Avvo wants to defend its listing my Indiana suspension, but even that has turned out to be an illegal position, given that data on the Indiana Roll of Attorneys is governed by a limited use agreement that prohibits taking the data and using it, changing it, or republishing it for commercial uses. Avvo did that, injuring me in the process.

9. Avvo has been wrong so severely in injuring me and with its false statements to courts and poor ethical judgment, taking data not allowed to be republished and publishing it to injure me over my objections, I want a trial judge who has **NO CONNECTION** whatsoever to Avvo, its parent companies, or its lawyers.

10. If there is no judge like that in this district, I suggest asking the chief judge of the 9<sup>th</sup> Circuit to find someone who is unconnected and disinterested.

11. My being earlier unaware of these complete facts that justify recusal, the late date of my asking it should be excused.

WHEREFORE, I move the trial judge to recuse under 28 U.S.C. §§ 144 & 455, with strong consideration of ABA Rule 2.2.

I, *plaintiff* Andrew U. D. Straw, verify that to the best of my knowledge, information, and belief, formed after an inquiry reasonable under the circumstances and to the best of my knowledge, that the above statements and factual representations are true and correct on penalty of perjury. **April 2, 2021**

Respectfully submitted,

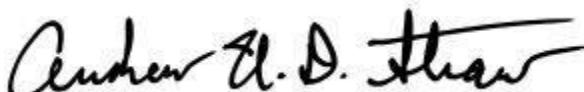


s/ ANDREW U. D. STRAW  
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**CERTIFICATE OF SERVICE**

I, Andrew U. D. Straw, certify that I filed the above **MOTION** with the Clerk of this Court via CM/ECF on **April 2, 2021**, and this **MOTION** and **PROPOSED ORDER** below will be served to all counsel of record through that CM/ECF system. It will be available to the public via Pacer.gov.

Respectfully submitted,



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ANDREW U. D. STRAW, <i>Plaintiff</i> ,	)	NOTING DATE: <b>04/9/2021</b>
v.	)	Case No.: 2:20-cv-00294-JLR
AVVO, INC., <i>Defendant</i> .	)	<u>Hon. James L. Robart</u> Judge Presiding
	)	Hon. <u>Magistrate Judge</u>
	)	Jury Trial Demanded

**ORDER**

The Court, being advised in the premises, namely that there are grounds for the presiding judge to recuse,

GRANTS / DENIES

the motion.

It is so ORDERED.

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Hon.

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Date